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- 5                   a one hand pistol grip integral with said combination to position said visible  
6 light on said surface; and  
7                   means on said sighting device for projecting a visible circular light pattern onto  
8 said surface to encircle and outline a temperature measurement zone.

**REMARKS**

Claims 1-11 and 13 have been examined. Claims 10 and 15 have been canceled. Claims 16-81 have been added. Accordingly, claims 1-11, 13 and 16-81 are now pending in the application. Reexamination and reconsideration are requested.

New claims 16-28 of the application have been copied from U.S. Patent No. 5,823,678 issued to Milton B. Hollander et al. on October 20, 1998 and correspond exactly to claims 1-13 of the patent. New claims 29-81 of the application have been copied from U.S. Patent No. 5,823,679 issued to Milton B. Hollander et al. on October 20, 1998 and correspond exactly to claims 1-53 of the patent. Applicant is in the process of preparing additional papers for filing in this application relating to the claims of the patent.

Claims 2, 5, 6, 1/4/5/6, 7, 8, 9, 10, and 13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The claims have been amended in response to all the examiner's comments.

Claims 1-4, 10, 11, and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Everest.

The present invention, as defined, for example, in amended claim 1 is a radiometer with a laser sighting device for identifying the position and size of the measurement spot imaged by the infrared optics. The sighting arrangement includes a laser aligned to illuminate a diffractive optical system to identify the measurement spot by means of more than two dots of visible light.

The reference Everest discloses a system utilizing the same optics to focus infrared energy emitted by the measurement spot onto a detector and light emitted by a non-coherent light source onto the measurements spot to make the measurement spot visible.

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The examiner states that it would have been obvious to modify Everest by replacing the beam splitter thereof with a diffractive optical system. This rejection is respectfully traversed for the following reasons.

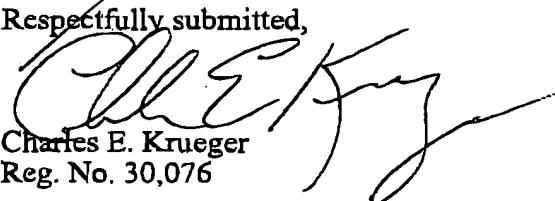
In Everest a Fresnel lens is utilized as the optical element for focusing both the infrared and visible radiation. This lens is suitable for illuminating the entire measurement spot with visible light. The laser/diffractive elements system of claim 1 provides a unique, mechanically simple system for utilizing more than three dots to identify the energy zone. By focusing the laser light into dots instead of a diffuse area the energy is concentrated and the zone is identified very clearly. Further, prior art systems for producing more than three dots are very complicated. The unique combination of a laser and diffractive optical element was discovered to be mechanically simple enough to introduce into production radiometers while maintaining competitive pricing.

Accordingly, claim 1 and all claims depending therefrom would not have been obvious in view of Everest or any other art of record.

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
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